



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

September 1, 2023

BY ECF

Hon. Jesse M. Furman
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007

**Re: *United States v. Joshua Adam Schulte,*
S2 17 Cr. 548 (JMF)**

Dear Judge Furman:

The Government respectfully submits this letter to advise the Court that, in an effort to streamline and expedite the presentation of evidence at trial, the Government does not intend to introduce certain exhibits that were the subject of the parties' motions *in limine*. In particular, and as the Government has separately advised defense counsel, the Government does not intend to introduce the defendant's statements from his prison notebooks (*see* D.E. 1088 at 14-17; D.E. 1092 at 7-10); IRC chats, or Google searches (*see* D.E. 1088 at 23-26; D.E. 1092 at 5-7). In addition, the Government has proposed a stipulation regarding the authenticity of materials seized from the defendant that the Government expects would obviate the need for several witnesses; if the parties are able to agree to the stipulation, the Government expects that the only witnesses it would call in its case-in-chief would be Special Agents Richard Evanchev and Aaron Spivack and Computer Scientist Michael Berger.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

by: _____ /s/
David W. Denton, Jr. / Michael D. Lockard /
Nicholas S. Bradley
Assistant United States Attorneys
(212) 637-2744 / -2193 /-1581

cc: Defense counsel (by ECF)
Joshua Adam Schulte (by U.S. Mail)